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December 18, 2008

By Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., Room TW-325
Washington, DC 20554

Ex Parte Communication

**Re: WC Docket No. 08-92, Application of True, LD, LLC and STi Prepaid, LLC
for Consent to Transfer Control of Assets pursuant to Section 214 of the
Communications Act of 1934, as Amended**

Dear Ms. Dortch:

In a recent ex parte notice, STiPrepaid, LLC ("STi") persists in describing the matters raised by APCC Services, Inc., in this proceeding as mere "billing disputes".¹ As we have explained,² the issues here go far beyond private-party complaints for unpaid payphone compensation. Rather, the Commission itself has brought charges of misconduct against apparent *alter egos* of transferor True LD, LLC -- West Star Telecommunications, LLC ("West Star"), and Global Access LD, LLC ("Global Access"), both owned and managed by transferor True LD's principal Jeffrey Larsen -- for their persistent failures to respond to complaints served on them by the Commission.³

¹ See Letter to Marlene H. Dortch, FCC Secretary, from Cherie R. Kiser, Cahill Gordon & Reindel LLP at 1 (November 21, 2008) ("*STi Ex Parte*").

² See, e.g., Comments of APCC Services, WC Dkt. No. 08-92, at 7-8 n. 15 (July 7, 2008) ("APCC Services Comments"); Letter to Marlene Dortch, FCC Secretary, from Albert H. Kramer and Robert F. Aldrich, WC Dkt. No. 08-92, at 3-4 (July 30, 2008).

³ *West Star Telecommunications, LLC*, Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 2008-3209-0001, 23 FCC Rcd 2707 (rel. Feb. 19, 2008) ("*West Star NAL*"); *Global Access, Inc.*, Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 2008-3209-0006, DA 08-1366 (rel. June 10, 2008) ("*Global Access NAL*"). The Commission will consider the qualifications of a transferor where "issues related to basic qualifications have been designated for hearing by the Commission or have been sufficiently raised in petitions to warrant designation for hearing." See *Applications of AT&T Inc. and Dobson Communications Corporation*, Memorandum Opinion and Order, 22 FCC Rcd 20295, 20302 ¶ 11 (2007) ("*AT&T/Dobson*").

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Thus, it is the Commission itself who has raised issues bearing directly on the transferor's "proclivity . . . to comply with Commission rules and policies" and thus its basic qualifications to hold Commission authorizations.⁴ The fact that the transferor's *alter egos* will not even obey Commission orders to respond to complaints amply demonstrates that granting the instant transfer application will enable them to defy the Commission's jurisdiction and "evad[e] responsibility"⁵ for violations of the Commission's rules.⁶

Moreover, apart from these pending qualifications issues regarding the transferor, even further questions about this transaction are raised by the fact that, prior to any Commission action on the proposed transfer, an invoice sent to True LD by APCC Services was returned to APCC Services by STi Prepaid, which is now apparently already operating out of True LD's former address even though it has no authorization to take over True LD's assets.⁷

Therefore, the Commission should not act on the pending transfer application until, at a minimum, both Jeffrey Larsen and the Larsen-owned carriers (1) submit to the Commission's jurisdiction in all pending NAL and complaint proceedings, (2) resolve the pending NALs, and

⁴ See *Lockheed Martin Corp., COMSAT Government Systems, LLC, and COMSAT Corporation*, Order on Reconsideration, 17 FCC Rcd 13160, 13167 ¶ 18 (2002) ("*Lockheed*") ("proclivity . . . to comply with Commission rules and policies" bears on a licensee's basic qualifications).

⁵ *AT&T/Dobson* at 20302 n. 58. STi Prepaid states that "approval of the transaction will not change the ability of the Commission or the Bureau to reach True LD for any alleged violations." *STi Ex Parte* at 2. As APCC Services previously explained however, as a practical matter the Commission will have little ability to reach True LD or Jeff Larsen once they have shed their telecommunications assets. APCC Services Comments at 6-7 & n. 13.

⁶ The compensation rule violations alleged in the complaints that True LD's apparent *alter egos* refused to answer *also* bear directly on the transferor's qualifications to hold Section 214 authorizations. In adopting the compensation rules, the Commission stated that "if we find that [carriers] have been lax in fulfilling their obligations. . . . we may issue an Order to Show Cause why we should not revoke a [carrier's] section 214 authority, and possibly bar the company's principals from participation in interstate telecommunications business activities without first obtaining explicit permission from the Commission." *Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Report and Order, 18 FCC Rcd 19975, 19998 ¶ 44 (2003).

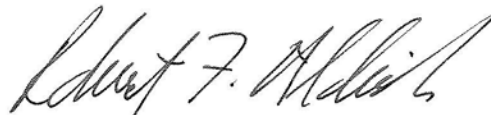
⁷ On December 4, 2008, APCC Services sent an invoice to True LD by Federal Express demanding payment of overdue compensation for the second quarter of 2008. The invoice was addressed to Jeff Larsen at True LD's current address of record, 2470 W. Majestic Parkway, #120, Tucson, AZ 85705. The unopened Federal Express envelope was returned to APCC Services with the notation "not at this address". The returned FedEx envelope was enclosed in a plain manila envelope with a return address identifying the sender as STi Prepaid at the same Majestic Parkway address. See Exhibit 1 hereto (a copy of the return envelope).

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(3) correct the violations raised in those proceedings by responding to the pending informal complaints.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert F. Aldrich". The signature is fluid and cursive, with the first name "Robert" and last name "Aldrich" clearly distinguishable.

Albert H. Kramer
Robert F. Aldrich

Attorneys for APCC Services, Inc.

Enclosure

cc: Julie Veach, Deputy Bureau Chief
Alexander Minard
Matthew Warner
Jodie May
Dennis Johnson

EXHIBIT 1

STI Prepaid
2470 W Majestic Pkwy #120
Tucson, AZ 85705

RUTH JAEGER
APCC SERVICES
685 STATES LANE
STE 104
ALEXANDRIA, VA 22314

RT 753 B 3450
FZ 12.08

From: Origin ID: LVLA (703) 739-1322
Ruth Jaeger
APCC Services
625 Slaters Lane
Suite 104
Alexandria, VA 22314



JCL511208/2023

SHIP TO: (703) 739-1322

BILL SENDER

Jeff Larsen
True Long Distance
2470 W MAJESTIC PARK WAY STE 120

TUCSON, AZ 85705

Ship Date: 04DEC08
Act/Wgt: 1.0 LB
CAD: 5564343/INET8091
Account#: S *****

Delivery Address Bar Code



Ref # 500
Invoice #
PO #
Dept #

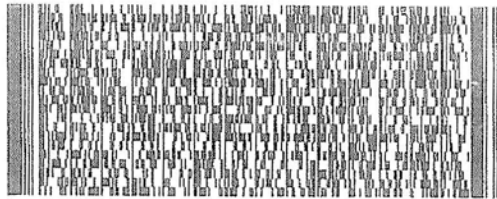
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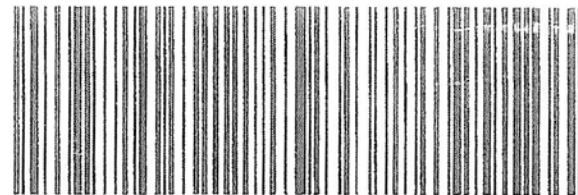
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